

REMARKS

I. INTRODUCTION

Claims 1-19 are currently pending. Reconsideration is respectfully requested.

II. REJECTION OF CLAIMS 1-4, 6-13 AND 16-19 UNDER 35 U.S.C. §102(E) AS BEING ANTICIPATED BY PETTERS ET AL. (U.S. PATENT APPL. PUB. NO. 2001/0018672)

Regarding claim 1, the rejection is traversed because Petters fails to teach or suggest:

dynamically and automatically, by a computer, pricing servicing of the events by the third party responsive to an electronic entity event pricing plan where the pricing is based on a collection of the exchange transactions.

In the context of facilitating Internet sales, Petters discloses the use of a "scrubbing agent," that in essence functions as a form of an escrow agent. The scrubbing agent verifies goods to be sold are as specified and that sales are made in accordance with any applicable sales conditions. See, for example, the Abstract of Petters. Petters does disclose the scrubbing agent marking up a seller's selling price for each transaction. That markup may be calculated by based on a percentage of the value of the total inventory being sold. See, for example, paragraphs 103 and 104 of Petters.

Therefore, Petters does disclose pricing selling of goods based on a total inventory of goods. However, Petters does not disclose "...where the pricing is based on a collection of the exchange transactions."

In general, it is respectfully submitted that the overall nature of Petters is substantially different than the present invention as recited, for example, in claim 1.

The above comments are specifically directed to claim 1. However, it is respectfully submitted that the comments would be helpful in understanding various differences of various other claims over the cited reference.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIMS 5 AND 15 UNDER 35 U.S.C. §103(A) AS BEING UNPATENTABLE OVER PETTERS IN VIEW OF MARITZEN ET AL. (U.S. PATENT NO. 5,987,429)

The above comments for distinguishing over Petters also apply here.

IV. REJECTION OF CLAIM 14 UNDER 35 U.S.C. §103(A) AS BEING UNPATENTABLE OVER PETTERS

The above comments for distinguishing over Petters also apply here.

V. CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.


If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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